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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,374	05/04/2001	Yu-Chih Cheng	PMXP0125USA	6788

Winston Hsu
NAIPO(North America International Patent Office)
P O Box 506
Merrifield, VA 22116

EXAMINER

PATEL, NITIN

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 01/30/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/848,374

Applicant(s)

CHENG, YU-CHIH

Examiner

Nitin Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6 is/are pending in the application.
- 4a) Of the above claim(s) 5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4,6 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Connor et al., (U.S. Patent No. 5,838,306) in view of Black (U.S. Patent No. 6,539,101).

As per claims 1,6 O'Connor shows a pointing device (In Fig.1 and In Col.3 lines 42-44):

a housing (In Fig.1) and a button installed on the housing for generating button signals (in fig.1 element 107 and 109 actuation switches)a displacement signal generator (element 111 In fig.1 and In Col.3 lines 50-54); an input panel installed on the housing for inputting signature signal data (element 113 and In col.4 lines 15-17) and

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shows window area(element 113 and also could be set on the other place on the mouse)(In Col.3 lines 55-62).

O'Connor does not teach a hand written input data inputted to perform an identification process, Wherein the handwritten data inputted to the input panel will be transmitted to a computer to perform an identification process.

Black shows a hand written input data inputted to perform an identification process; wherein the handwritten data inputted to the input panel will be transmitted to a computer to perform an identification process (In Abstract and In Fig.1b and In col.12 lines 17-26 and in col.12 lines 52-57 and in col.13 lines 1-22). It would have been obvious to one of ordinary skill in the art, at the time of the invention was made to allow the teaching of verification of handwritten inputted data via digitizer of Black's into the input device of O'Connor's because it would have reduced and rejected forgery committed by persons who wants to steal identity theft.

As per claim 2, O'Connor shows the pointing device being a mouse (I fig.1 and In col.3 lines 42-43).

As per claim 3, O'Connor shows the displacement signal generator having a roller installed at bottom of the housing for generating displacement signals (In col.3 lines 42-53).

As per claim 4, O'Connor shows the displacement signal generator having a trackball installed at a top end of the housing for generating displacement signals (In Col.3 lines 51-54, element 111 acts as a pointer finger to input manipulation and control selection from a user to move cursor or menu on a screen).

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Response to Arguments

3. Applicant's arguments with respect to claims 1-4,6 have been considered but are moot in view of the new ground(s) of rejection.

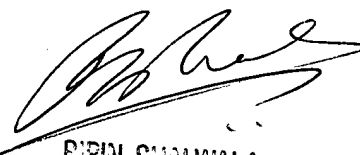
Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin Patel whose telephone number is 703-308-7024. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H Shalwala can be reached on 703-305-4938. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-9052 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9618.

NP
January 26, 2004


BIPIN SHALWALA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2000